[To be preserved]

App. F. IX-4

1916. (S&A)

File No. 111—

Serial Nos. 1 and

Previous References.
S&A 167-14 (1-3)
S&A 324-08 (7a · 8-11 to 14 a)
S&A 248-06 (1-3, 10-18, 25 & 26, 29-31).
S&A 534-11 (7 & 10).
Later References.
S&A 111-15 (2-12).
S&A 35-18 (No 3 and 6-10).
S&A 2-19 (5, 9 & 10).
SP 3-43 (2-4).
SP 1-54 (1 to 4).

MYSORE GOVERNMENT SECRETARIAT

Serial Nos. 1 and 1(a).

Part B for July 1916.

SUBJECT

Honnali Nawab's Family.

GO No FL 1728-9 dated 19-9-16. WD 03555—GPB—25,000—2-7-53.

811. Proposal—

Requests with reference to endorsements dated 10-2-1915 that as the effect of the order of 12-1-1909 is to further reduce the amount of the State Pension which is not liable to reduction until his death, the payment of shares to the existing shares may be made through him for the Treasury officer as part of the pension registered in his name

812 1a. order:—

Directs that the share of Rs 15 which was being to Pacha Bibi out of the family pension be restored to Mr Shee from the date of her death, viz 21-1-1912—

Issued— To

The Deputy Commissioner Shimoga District
The Comptroller — Mysore Govt.

Copies to—
Gr Raghupathi Esqrs
29-11-1954.

G. R. S. 58]

(To be preserved)

Previous references.

SOA 167-1685 1-3, B. Feby 15
SOA 324-0855 7a, 8, 11b
SOA 268-0655 1-3, 10-18, 25 26 + 29-31 (SOA)

~~Later references.~~

SOA 534-1185 7 no, B. Jan 16.

File No. 111-15

Serial Nos. 1 ~~2~~ 1a

Later Refs.

SOA 111-15 Pt 1-62, Bi Jany 18
" 38-184 1-386-C, B March 1920.
" 2-1945, 9 & 10, B June 1920

By 20/2/41

GENERAL AND REVENUE SECRETARIAT.

S. P. 3-43 (2-4)

Serial Nos. 1 and 1a.

Part B for July 1916

SUBJECT.

Honnali Nawab's family

Sl. 1. Proposal -

Request with refce to endorsements
of 10th Feby 1915 that as the effect of the order of
12th January 1909 is to further reduce the
amount of the State Pension which is not
liable to reduction until his death, the
payment of shares to the existing Sharers may be
made through him or the Drawing officer do
part of the pension registered in his name.

Sl. 2. His order :- Directs that the share of Rs
was being paid to Basha Bibi out of the
Sum, be restored to Mr. Sher Khan from the
death, viz, 28

Rec'd 10/11/16.

W D 1351—GPB—20,000—13-12-15

G. R. S. 11] 1915-16

GENERAL AND REVENUE SECRETARIAT.

(S & A)

NOTES.

File No. 111-15

FILE HEADING.

Hunnali Nawab's family

From

Mr. Sher Khan Jammad, Hunnali

No. Petition Dated 25.8.15 Received 27.8.15

Diary No. 750	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests ~~Represents~~ with reference to endorsement of 10th Febr 1915 that as the effect of the order of 12th Jany 1909 is to further reduce the amount of the state pension which is not liable to reduction until his death, the payment of the shares to the existing sharers may be made thro him or the Treasury Officer as part of the pension registered in his name.

NOTES AND ORDERS.

Dewan's orders on the petition,— 'Secretary for a note'

2. Facts of the case are briefly as follows:—

After the death of Abdul Nabi Khan of the Hunnali Nawab's family the state pension of Rs 202 was

GPB—20,000—8-9-14

G. R. S. 12]

General and Revenue Secretariat. | S & A File No. 111 of 1915.

Serial No.

transferred in full to the present petitioner Mr. Sher Khan, then a minor, with a declaration, however, that the pension is liable to reduction after his death. The shares payable out of this pension to the other members of the family were specified.

Flag V

Owing to unauthorised action on the part of the guardians during Mr. Sher Khan's minority in having withheld payment & attempted to reduce the recognised shares, Govt in their order no. 7922-3 S&A 324-08-14 dated 12th June 1909 directed the issue of separate payment orders in the names of the shareers.

Flag Y

The share of one such shareers viz that of Pachabibi lapsed to Govt for want of legal heirs, the present petitioner not having been a claimant.

Flag W

3. The petitioner's claim to Pachabibi's share preferred in Augt 1914 after the question was disposed of by Govt was rejected in endorsement no. Fl. 3998 dated 10.2.1915.

Flag X

4. His now request now amounts to a modification of Govt. No. 12th June 1909 in withdrawal of payment orders separately issued & making the whole amount of the existing pension payable as one payment order & amounts of shares being disbursed to the persons concerned

per under Disposal

NOTE—Contn. sheet.

GPB—20,000—30-6-15

General and Revenue Secretariat. | S H A File No. 111 of 1915.

Serial No.

either thro' the Head pensioner Mr. Sheikhan or the Treasury Officer.

5) Whether the payment Order once issued can with expediency be recalled is a point for consideration in the disposal of the present petition.

RBM 8/11/15 6) To prevent disputes between the Several members of the family it is undesirable to ~~the Secretary to give up the System of payment~~ cancel the Separate payment orders the issue of which was sd in 1909 and to revert to the old System of having the whole amount to the Nawab treating the other recipients as Sub Shares.

7) Political pensions ~~must of necessity~~ are generally reduced on the ~~the death of Each~~ Each change in the holder and when Separate portions are registered in the name of others, they become the holders & the Nawab does not continue to be the proprietor of Such portions.

8) It is time Govt ordered a pension of Rs 202 for life to the Nawab ~~but either he must the held portion cannot be divided among other~~ But the Separate registry of the amounts due to others was ordered in

NOTE—Contn. sheet.

GPB—20,000—30-6-15

General and Revenue Secretariat. | S+A File No. 111 of 1915.

Serial No.

his life time ~~it~~ this was due to his own fault in not keeping regulars what was due to the others. It does not make any difference that the irregularity was committed by his guardians during his minority & he is bound by their acts & cannot repudiate them now after so many years — The prayer will have to be declined.

Sd. 12/10/15

(Elsewhere)
(1) agree with the Dy Secy.
First Member of Council
(2) Ref = Secretary's Note

Secretary's Note 1/11

1. The view is somewhat doubtful. Are there no precedents about such lapses of subsheres? The argument of the Dy Cr in his letter d. 14.10.14 has not been fully considered, it seems to me. The more obvious interpretation of the original order seems to be that the Pension shd not be reduced during the present Pet's life.

3/11/15 P.T.O

NOTE—Contn. sheet.

GPB—20,000—30-6-15

G. R. S. 12]

750

5

General and Revenue Secretariat. | Sect File No. 111 of 1915.

Serial No.

12) No precedents are traceable in support of lapses of such sub shares.

(HSM BVN
25/11/15 Greer)
First Member)

Dy. 26.11.15
Draft Order
611
hw

13) I think that the previous order should be revised & the full pension of 202 Rs restored. A draft order may be submitted for approval of the Dewan.

10/3/16

14) Draft Order 11/3
hw

HC&B

15) Subd. with a draft G.O.

(HSM BVN
14/3/16 Greer)

Dy 20/3

16) Draft not suitable. It should embody the substance of the DS Greer's argument & the view recorded in para. 11.

Order
31/3
hw

Subd

17) Another draft is put up.

(HSM BVN Greer)
1/4/16

hw 9.4.16

7 of 8-11-
hw
Subd
[illegible]
25-4-16

(HSM BVN
11/5/16

NOTE—Contn. sheet.

GPB—25,000—22-3-15

750 6 16

G. R. S. 12]

General and Revenue Secretariat. | S & A File No. 111 of 1915.

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10.

Personally I do not consider that the contentions urged justify a reconsideration of the G.O already passed. But as the First member has taken a different view, the draft may be general as revised. A tidy draft may be put up.

Dwee
17/4

19 Sub D
A tidy draft is put up.

ASM (Elsewhere)
17.4.16

Dwee
18/4.

5705
22.4.16.

Dwee
22/4

22 The draft order may issue if the present 2nd Member of Council after speech (
26.7.16.

1627
28.7.16

Second member)

Dwee
28/7

21 I agree with the late 1st member's views, and am of opinion that for reasons set out in para 4 of the DO Comm's letter of 24-10-14 the petr Dher Khan is entitled to a re-consideration of the G.O. of 22-1-14. The order of 23-9-0 fixed the pension at Rs 202 carrying the life time of the petr with a direction that he should regularly visit the shrine of the other members.

NOTE—Contn. sheet.

750 7

J. R. S. 12]

General and Revenue Secretariat. | S & A File No. 111 of 1915.

Serial No.

It was this ~~last~~ direction that was varied by the ~~order~~ arrangement for separate payments made by the Order of 12th June 1909. The total amount of the family pension ~~remains~~ was not meant to be altered and must remain unaltered during the petn's lifetime and if, as is apparently the case, there are no others who can lay claim to Gacha Bibi's share, it must revert to the petr.

2. In this view of the case, I suggest that the draft order put up be revised by the omission of the words within brackets (relating to the "determinable character and resumption" of the pet:) and then issued —

29.7.16

Was the draft as modified issue? yes 31/7

(Gilbert) Yes done 1/8 [illegible]

NOTE—Contn. sheet.

G.P.B.—70.000—17-12-15

No: 53

27/8/15

letter for 28-8-15. Rd. Done

DEWAN'S OFFICE.
Date of Receipt 30.8.15
Petn Regr. No 6685A

DIARY No 750

1915-1916
S+T
C.9.

To,

Sir M. Visvesvaraya
Dewan of Mysore

Most Respected Sir,

With reference to Govt: order

Flag X No Fl 3998/S+A 167-14-3 dated the 10th February 1915 directing that Govt:

Flag V order No 1414-6/S+A 248-06-30 dated 23rd September 1907 fixing my pension at Rs 202/ per mensem for life, was in effect modified by Govt: G No Fl 7922-3/S+A 324-08-14 dated

Flag Y the 12th January (June) 1909 which directed the shares due to the other members of the family to be separately registered and paid independently without my intervention, and that therefore there was no reason why the vacant share of Rs 15/- enjoyed

by Pachia Bibi of my family since deceased should revert to me instead of lapsing to Govt and to my re-newed personal representations at the interview at Nowsheli in the early part of April 1915, I beg again to solicit that Govt will be pleased to accord a generous reconsideration of my claims for and under the following reasons and circumstances respectively

1) The former holders of the pension have had the same sanctioned and continued to them without reduction whereas in my humble case, it is in Govt. No — 1414-6/S&A 248-06-30 dated 30th September 1910, made liable to reduction in my demise. Such further reductions, again as lapses to Govt of the shares payable to members of family are calculated to minimize the grant very considerably in the course of a single life or two which I believe is far from the kind intentions of the benign Govt.

2) In the order above referred to

it is expressly stated that the pension is for the benefit of the family and I fully appreciate the solicitude and recognition which this stipulation implies. Govt order no F 3223-4 / S&A 534-11-10 dated 22.1.14 discussing the respective merits of the claims of Hasan Ali Khan and Basira Bibi step son and step daughter of the deceased Pacha Bibi who are also stipendiaries of my state pension finds that the grounds put forward by the claimants are inadmissible under the mohamedan Law. Flag W

In the event of alience of claim by descent the law probably allows considerations to flow this and bonds of relationship. Apart from this in the present instance it would be both equitable and in the spirit of the solicitude of the Govt for the family which is steadily gaining in numbers to continue the pension in full for the present life at least as originally ordered. The fact also remains that the cost of living now does not happen to be what it was before

(3) I have to presume that it was a mistake of fact which led my Guardians to tender short payments to Hasain Ali Khan and others referred to in Govt order no H 7922-3/S&A 324-08-4 dated 12.X.09 and that virtually the existence of ill feeling prevailed upon the latter to ask for Flag V

in dependant payment through the Auditor
A plausible remedy in case of reduction would
have been to apprise them of the unauthorized
nature of their proceeding in having taken on
themselves to make reductions out of the State-
pension continued in full in my name, while a
reduction had been made out of the British-
pension which had nothing to do with the former
and a decision in favour of the claimants for the
extra pension withheld ought in the ordinary
course to have put an end to the difficulty. The
existence of the ill feelings spoken of above, and the
issue of separate pension payments order in the
names of the members of the family at a time when
I had no idea as a minor of the would be consequence
of the steps taken, are to deprive me now both of
my privilege as pensioner-in-chief and also of
the enjoyment of the full pension so generously
sanctioned in Govt G no 1414-6/1+A 248-06-30 Ki
dated 13.9.07. It would not have mattered
for if such separate payment were allowed during
the term of my minority as in that case my
claims to the full pension should not have
suffered for reasons beyond my control. As the
effects of this order are likely to affect me
further, I pray that Govt will be pleased to
find a suitable way to save me this further loss,
by directing it may be, the continuance of
payment through me as before or through the
Treasury officer himself, the payment being
treated as part of the full pension sanctioned
in my name but disbursed separately
for the sake of convenience or necessity, as

circumstances might call for or the reversion to me of the shares that come to have no holders would in effect satisfy my claims in full in addition to being in exact consonance which the original orders conveyed in Govt C. no 1414-6/St A248-0630 dated 23.9.1907

Flag V

I have to state in conclusion that the above is at least an expression of my case and circumstances from my own point of view and that as in the usual course of each of them chance to have gone up to Govt and ordered upon him time to time, I crave the indulgence as prayed for already of their goodness to find a way for the solution of my case under the peculiar features it presents, particularly that their primary object and intention has undoubtedly been that the enjoyment of the pension in full should be secured to me for life for the benefit of the family.

In which act of charity I shall pray for your long life & prosperity.

I have the honor to be
most Respected Sir,
your most obedient Servant,
Shair Ikram Jan Nawab
(Nawab of Hommali)

Hommali
Dated 25th August
1915

G.R.S. 28]

Tidy Draft

File No.

Serial No. 1(a)

Diary No. of letter replied to 750

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 191 .

Date of issue 19/9/16

Signed by Mr S. Ramanna

READ— again,

G.O. nr. Fl. 3223-4 / S & A 534-11-7 dd 22.1.14 directing on the death of Pacha Bibi, one of the pensioners of the Honnali Nawab's family that the share of Rs 15/- apportioned to her out of the total state pension of Rs 202 sanctioned to Mr Sherkhan in G.O. nr. Fl. 1414-6 / S & A 248-06-30 dd 23rd Sept 1907, should be considered to have lapsed to Govt.

OVER THERTON.—No.

Read also;

(1) letter nr. 209 / R 152 dd 14th Oct 1914 from

over

SUBJECT.

GPB—50,000—1-12-12

the Dy Commissioner, Shimoga District, recommending reconsideration of the order read above and the continuance of the pension of Rs 202 in full to M. Sherkhan subject to the disbursement of shares to the remaining members.

(2) Petition of the 25th Augt 1915 from M. Sherkhan praying for the reconsideration of the G.O. read above and the restoration to him of the lapsed share of Rs 15/- p.m.

Order thereon ... No. F 61728-9 of 19 Septr 16

[In view of the Deputy Commissioner's strong recommendation that petitioner is a young man of estimable character & disposition and is deserving of ~~the~~ generous treatment,] Government are pleased to direct that in modification of their order of 22nd Jany 1914, ~~that~~ the share of Rs 15 which was being paid to Pacha Bibi out of the family pension, be

The words in brackets may be omitted if considered necessary. By 29.9

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

be restored to Mr. Sherkhan from the date of her death, viz, 21st Jany 1912.

Dft Secy to Govt, Genl Depts 2/4 18/4

To
The Dy Comm^r, Shimoga Dist^t
" Comptroller, Mysore Govt

17.4.16